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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 DAVID MICHAEL NAVARRO,

12 Defendant.

CASE NO. CR13-5525BHS

ORDER GRANTING
GOVERNMENT'S MOTION TO
CONTINUE THE TRIAL DATE

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14 This matter came before the Court on October 15, 2013, on the government's motion to
15 continue the trial date. The Court found that pursuant to Title 18, United States Code, Section
16 3161(h)(7), the ends of justice served by continuing the trial date sixty-days outweigh the best
17 interests of the public and Defendant in a speedy trial in that, as set forth in the government's
18 Motion, it has been demonstrated that additional time is needed for defense counsel to properly
19 investigate this case. Specifically, the government needs additional time to complete its forensic
20 examination of Defendant's digital media.


21 Although the government anticipates completion of the forensic examination before
22 November 5, 2013, there will not be enough time for the defense to evaluate and examine the
report or seek an independent examination. Because the forensic evidence will be a significant

1 issue in this case, a thorough and complete investigation by both parties is necessary in order to
2 be adequately prepared for trial. Defendant supported the motion to continue trial in open court
3 and submitted a waiver of speedy trial through February 15, 2014.

4 IT IS THEREFORE ORDERED THAT trial in this matter is continued until January 14,
5 2014, at 9:00. Pretrial Conference is set for January 6, 2014, at 3:30 p.m. Pretrial motions are
6 due by December 3, 2013.

7 IT IS FURTHER ORDERED THAT, for the purposes of computing the time limitations
8 imposed by the Speedy Trial Act, Title 18, United States Code, Sections 3161-3174, the period
9 of delay from October 15, 2013, up to and including January 14, 2014, is excludable time
10 pursuant to Title 18, United States Code, Section 3161(h)(7).

11 Dated this 16 day of October, 2013.

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14 BENJAMIN H. SETTLE
15 United States District Judge
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